

The House Committee on Education offers the following substitute to HB 32:

A BILL TO BE ENTITLED  
AN ACT

To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to revise provisions relative to turnaround schools; to provide for appointment of the Chief Turnaround Officer by the Governor; to provide for the role of the State School Superintendent in identifying turnaround eligible schools; to repeal a provision relating to grants to assist schools with demonstrated financial need; to provide for annual reporting by the Chief Turnaround Officer; to provide for a pilot program to retain highly effective teacher leaders in turnaround schools; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in Code Section 20-2-73, relating to suspension and removal of local school board members upon potential loss of accreditation, by revising paragraph (1) of subsection (a), as follows:

"(a)(1) Notwithstanding Code Section 20-2-54.1 or any other provisions of law to the contrary, if:

(A) A local school system or school is placed on the level of accreditation immediately preceding loss of accreditation for any reason or reasons by one or more accrediting agencies included in subparagraph (A) of paragraph (6) of Code Section 20-3-519, the local board of education shall notify the State Board of Education in writing within three business days of such placement and the State Board of Education shall conduct a hearing in not less than ten days of such notice nor more than 90 days and recommend to the Governor whether to suspend all eligible members of the local board of education with pay; or

(B) One-half or more of the schools in a local school system are turnaround eligible schools, as defined in subsection (a) of Code Section 20-14-45, for the fifth or more consecutive year, the Department of Education shall notify the State Board of

Education in writing within three business days of the publication of the list of turnaround eligible schools by the Office of Student Achievement, and the State Board of Education with the recommendation of the State School Superintendent shall conduct a hearing in not less than ten days of such notice nor more than 90 days and recommend to the Governor whether to suspend all eligible members of the local board of education with pay; provided, however, that this subparagraph shall be tolled for a local board of education while under a contract amendment or intervention contract pursuant to Code Section 20-14-45 so long as such local board of education is in substantial compliance with the terms of such contract amendment or intervention contract."

## SECTION 2.

Said title is further amended by revising Code Section 20-2-84.2, relating to state monitoring of flexibility contracts, as follows:

"20-2-84.2.

(a) The ~~Office of Student Achievement~~ Department of Education shall revise the single state-wide accountability system established pursuant to paragraph (1) of subsection (a) of Code Section 20-14-26 for submission to the state board for approval to integrate the requirements of this article, to the greatest extent practicable, including, but not limited to, the loss of governance consequences provided for in Code Section 20-2-84.1.

(b) The ~~Office of Student Achievement~~ Department of Education shall monitor each local school system's progress toward meeting its performance goals in its contract and shall ~~the~~ notify the department if a local school system is not in compliance with such performance goals. The department shall provide support and guidance to school systems not meeting their yearly progress goals."

## SECTION 3.

Said title is further amended by revising Code Section 20-14-41, relating to appropriate levels of intervention for failing schools, master or management team, school improvement team, annual reports, data revision, and hearing, by revising subsection (h), as follows:

"(h)(1) The ~~State Board of Education~~ Chief Turnaround Officer shall prepare an annual report detailing the schools that have received an unacceptable rating for one or more consecutive years and the interventions applied to each such school pursuant to this Code ~~section~~ Section 20-14-41.

(2) The ~~State Board of Education~~ Chief Turnaround Officer shall provide the annual report no later than December 31 for the previous academic year; to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the chairpersons of

the House Committee on Education and the Senate Education and Youth Committee, and the Education Turnaround Advisory Committee."

#### SECTION 4.

Said title is further amended by revising Code Section 20-14-43, relating to the Chief Turnaround Officer, qualifications, and duties, as follows:

"20-14-43.

(a) There is created the position of Chief Turnaround Officer. ~~The State Board of Education~~ Governor, after consulting with the State School Superintendent and the Education Turnaround Advisory Council and, in his or her discretion, conducting a national search, shall appoint the Chief Turnaround Officer who shall serve at the pleasure of the ~~state board~~ Governor. The Chief Turnaround Officer shall be an employee of the Department of Education ~~but shall report directly to the state board in the school improvement division~~.

(b) The Chief Turnaround Officer shall have the following qualifications:

(1) Extensive personal experience in turning around low-performing schools, including expertise in turnaround strategies, curriculum, instruction, and teacher and principal effectiveness;

(2) Has held the position of at least principal or a higher administrative position in a public school system for a minimum of five years with demonstrated skills in school management, budget, finance, federal and state programs, funding sources, and talent management; and

(3) Such additional education, experience, and other qualifications as determined by the State School Superintendent.

(c) The duties of the Chief Turnaround Officer shall include, but are not limited to:

(1) Managing and overseeing a system of supports and assistance for the lowest-performing schools in this state identified as in the greatest need of assistance;

(2) Identifying resources, including the establishment of a resource list of evidence based strategies and integrated student services, and consulting with regional educational service agencies to determine specific expertise and resources available at each such regional educational service agency directly relating to school turnaround;

(3) Annually establishing a list of third-party specialists, including auditors and consultants, to assist schools and local school systems in conducting comprehensive on-site evaluations of schools to determine the root causes of low performance and lack of progress, to assist schools and local school systems in the implementation of intensive school improvement plans, or to provide any of the necessary support services as specified in the engagement letter or contract. Such list of third-party specialists shall be

established through a request for proposals process and approved by the State Board of Education. Such request for proposals shall be designed with input from the Education Turnaround Advisory Council;

(4) ~~Coordinating with the school improvement division within the Department of Education and coordinating and working with the State School Superintendent and the~~ Office of Student Achievement to identify all state resources and supports available to the lowest-performing schools in the greatest need of assistance;

(5) Identifying turnaround coaches pursuant to Code Section 20-14-44 to serve as the assigned state site liaison in the school improvement process;

(6) Building school level leadership capabilities, in cooperation with agencies and organizations that have experience and capacity, and providing leadership development opportunities for principals and other school level leaders in turnaround eligible schools selected by the Chief Turnaround Officer; and

(7) Identifying best practices for school turnaround, including identifying those practices that are not successful in improving student outcomes, and sharing such information with local school systems and schools in this state.

(d) ~~The Chief Turnaround Officer, the State School Superintendent, and the staff and all divisions of the Department of Education shall work collaboratively and shall coordinate as necessary to facilitate the implementation of this part.~~ The Department of Education shall establish the state plan pursuant to the federal 'Every Student Succeeds Act' in a manner that pursues and allows maximum flexibility to implement the provisions of this part."

## SECTION 5.

Said title is further amended by revising Code Section 20-14-44, relating to turnaround coaches and roles, as follows:

"20-14-44.

(a) The Chief Turnaround Officer, ~~after consulting with the~~ recommendation of the State School Superintendent, shall ~~recommend~~ propose individuals experienced in turning around schools that have similar needs and characteristics as those schools identified pursuant to Code Section 20-14-45, to serve as turnaround coaches, subject to approval by the state board.

(b) Turnaround coaches shall assist schools that are identified as ~~in~~ having the greatest need ~~of~~ for assistance pursuant to Code Section 20-14-45 with ongoing assistance and input and shall serve as contract managers to ensure conformance to contract terms. Turnaround coaches shall be assigned to one or more schools which are under a contract amendment or intervention contract pursuant to Code Section 20-14-45.

(c) Turnaround coaches may provide such other services and supports as determined by the Chief Turnaround Officer."

## SECTION 6.

Said title is further amended by revising Code Section 20-14-45, relating to the definition of turnaround eligible schools, identification, and role of local boards of education, as follows:

"20-14-45.

(a) As used in this Code section, the term 'turnaround eligible schools' means the schools that have performed in the lowest 5 percent of schools in this state identified in accordance with the state-wide accountability system established in the state plan pursuant to the federal 'Every Student Succeeds Act.'

(b) The Chief Turnaround Officer, in conjunction with the ~~Department of Education~~ State School Superintendent and the Office of Student Achievement, shall annually identify the lowest-performing schools that are deemed ~~to be in~~ as having the greatest need ~~of~~ for assistance based on a list of turnaround eligible schools prepared annually by the Office of Student Achievement. If the Chief Turnaround Officer, after consulting with ~~Department of Education~~ staff and the State School Superintendent, determines that the capacity and resources available to the Chief Turnaround Officer and to the Department of Education are insufficient to serve all schools on the turnaround eligible schools list, the Chief Turnaround Officer may select a subset of such schools based on the following factors:

(1) Whether the school's rating has been improving or declining over the previous three years, based on the state-wide accountability system;

(2) Whether the contract for strategic waivers school systems or the charter for charter systems adequately addresses the school's deficiencies;

(3) Whether the school is in a local school system with a recent accreditation report showing deficiencies in system level governance, school level leadership, system and school level resource utilization, or school level achievement, including the areas of reading and mathematics proficiencies;

(4) Whether the school is located in a local school system in which one-half or more of the schools are on the turnaround eligible schools list for the fifth or more consecutive year;

(5) Whether the school is in close proximity to a school that will be served pursuant to paragraphs (1), (2), (3), or (4) of this subsection; and

(6) Any other factors deemed appropriate by the Chief Turnaround Officer.

(c) The Chief Turnaround Officer shall extend an opportunity to the local boards of education for each school identified pursuant to subsection (b) of this Code section to amend the contract entered into pursuant to Code Section 20-2-83 for strategic waivers

school systems or to amend the charter, for charter systems. The amendment shall be for the purposes of agreeing to receive assistance pursuant to this part for such identified school or schools. For any such local board of education that is offered the opportunity to amend its system contract or charter but that does not sign an amendment within 60 days of being offered the amendment or that declines to sign an amendment, the State Board of Education shall within 60 days either implement one or more of the interventions contained in paragraph (6) of subsection (a) of Code Section 20-14-41 for such school or terminate the system contract or charter as allowed by the terms of such contract or charter.

(d) For any local school system that is not a charter system or a strategic waivers school system, the Chief Turnaround Officer shall extend an opportunity to the local board of education for each school identified pursuant to subsection (b) of this Code section to enter into an intervention contract for the purposes of agreeing to receive assistance pursuant to Code Section 20-14-46 for such identified school or schools. For any such local board of education that is offered the opportunity to enter into an intervention contract but that declines, the State Board of Education shall immediately implement one or more of the interventions contained in paragraph (6) of subsection (a) of Code Section 20-14-41 for such school.

(e) For any school on the turnaround eligible school list which is not selected as part of the subset of schools to be assisted by the Chief Turnaround Officer due to insufficient capacity and resources, the Department of ~~Education, through its~~ Education's school improvement division, shall begin or continue focused supports and a pre-diagnostic review utilizing all relevant data held at the state level as it relates to the local school system and school, including financial audits, funding allotments, federal funds, state assessment data, and the most recent local school system accreditation report regarding system level governance and leadership, resource utilization, teaching and learning effectiveness, and academic achievement."

## SECTION 7.

Said title is further amended in Code Section 20-14-46, relating to on-site diagnostic review by third-party specialist and development of intensive school improvement plan, by revising subsection (d), as follows:

"(d) Based on the evaluation and recommendations and after public input from parents and the community, the school shall develop an intensive school improvement plan, approved by the Chief Turnaround Officer, that specifically addresses the academic insufficiencies identified by the school's rating in the single state-wide accountability system. The local board of education shall not be eligible for supplemental funding to support the implementation of the plan unless such local board demonstrates financial need based on

its most current annual budget and the results of the most recent audit. The local board of education shall coordinate the hiring and contract renewal process for personnel and the allocation of school resources to support such plan. In developing the timelines in the intensive school improvement plan, the school shall take into consideration the budget cycles, employment contract deadlines, and other appropriate factors relating to the planning process. The school, with the support of the local board of education, local school superintendent, and principal, shall implement the plan with ongoing input and assistance from the Chief Turnaround Officer and performance monitoring by the ~~turnaround coach~~ Department of Education's school improvement division."

## SECTION 8.

Said title is further amended by revising Code Section 20-14-48, relating to individual assessments of low performing students in turnaround eligible schools, as follows:

"20-14-48.

(a) ~~The State Board of Education~~ State School Superintendent shall ensure that all necessary department resources and supports are made available for full implementation of this part, including, but not limited to, the implementation of the intensive school improvement plans established pursuant to Code Section 20-14-46 for schools for which a local board of education has entered into a contract amendment or intervention contract with the State Board of Education pursuant to Code Section 20-14-45. Further, ~~the State Board of Education~~ State School Superintendent shall ensure that such schools receive priority for the receipt of federal and state funds available to the Department of Education to the fullest extent possible under federal and state law, including, but not limited to, federal school improvement grants and Title I funds. ~~The State Board of Education~~ State School Superintendent shall also pursue maximum flexibility in applying for and expending federal funds, including, but not limited to, the consolidation of all federal, state, and local funds in compliance with federal law.

~~(b) The Office of Student Achievement shall give priority to schools for which a local board of education has entered into a contract amendment or intervention contract with the State Board of Education pursuant to Code Section 20-14-45 when awarding grants pursuant to subsection (b.1) of Code Section 20-14-26.1 or any other grants administered by the office.~~

~~(c)(1) The Office of Student Achievement shall be authorized to provide for grants, subject to appropriations, to assist schools in local school systems under a contract amendment or intervention contract pursuant to Code Section 20-14-45 with demonstrated financial need in:~~

~~(A) Retaining the services of a third-party specialist to assist in the implementation of an intensive school improvement plan developed pursuant to Code Section 20-14-46 or to provide any other support services deemed necessary pursuant to such plan;~~

~~(B) Assessing low-performing students and obtaining specified supports for such students as delineated in subsection (a) of Code Section 20-14-47; or~~

~~(C) Both subparagraph (A) and subparagraph (B) of this paragraph.~~

~~(2) A school under a contract amendment or intervention contract pursuant to Code Section 20-14-45 with a demonstrated financial need may, upon consultation with the turnaround coach for the school, request grant funds pursuant to this subsection. Upon approval by the Chief Turnaround Officer, the grant request may be submitted to the Office of Student Achievement. The award of any grant funds shall be at the discretion of the Office of Student Achievement, including the amount of any such grant funds awarded. The Office of Student Achievement shall prescribe criteria, policies, and standards deemed necessary for the effective implementation of this subsection, including criteria for a local school system to demonstrate financial need."~~

## SECTION 9.

Said title is further amended by revising Code Section 20-14-49, relating to failure to progress after implementation of intensive school improvement plan and interventions, as follows:

"20-14-49.

(a) If after three school years of implementing the intensive school improvement plan developed pursuant to Code Section 20-14-46, the school is not improving, as determined by the Chief Turnaround Officer based on the terms of the amended contract, amended charter, or the intervention contract and on other applicable factors, the Chief Turnaround Officer shall require that one or more of the following interventions be implemented at the school, unless the school is in substantial compliance with the implementation of the intensive school improvement plan and has exhibited ongoing cooperation and collaboration:

(1) Continued implementation of the intensive school improvement plan developed pursuant to Code Section 20-14-46;

(2) Removal of school personnel, which may include the principal and personnel whose performance has been determined to be insufficient to produce student achievement gains;

(3) Implementation of a state charter school or a special school, as defined in Code Section 20-2-2062;



(4) Complete reconstitution of the school, removing all personnel, appointing a new principal, and hiring all new staff. Existing staff may reapply for employment at the newly reconstituted school but shall not be rehired if their performance regarding student achievement has been negative for the past four years;

(5) Operation of the school by a private nonprofit third-party operator selected and contracted by the local board of education;

(6) Mandatory parental option to relocate the student to another public school in the local school system that does not have an unacceptable rating, to be chosen by the parents of the student from a list of available options provided by the local school system. The local school system shall provide transportation for students in Title I schools in accordance with the requirements of federal law. The local school system may provide transportation for students in non-Title I schools. In any year in which the General Assembly does not appropriate funds for the provision of transportation to non-Title I students, the parent or guardian shall assume responsibility for the transportation of that student;

(7) Complete restructuring of the school's governance arrangement and internal organization of the school;

(8) Operation of the school by a successful school system and pursuant to funding criteria established by the State Board of Education; or

(9) Any other interventions or requirements deemed appropriate by the Chief Turnaround Officer and the ~~State Board of Education~~ State School Superintendent for the school and in accordance with the amended contract, amended charter, or intervention contract, except that operation of the school by a for profit entity shall be prohibited.

(b) Before the implementation of any interventions required by the Chief Turnaround Officer pursuant to subsection (a) of this Code section for a school, the local board of education may request an opportunity for a hearing before the State Board of Education to show cause as to why an intervention or interventions imposed by the Chief Turnaround Officer for a school should not be required or that alternative interventions would be more appropriate. Such request shall be made no later than 30 days after notification by the Chief Turnaround Officer of the intended interventions. The ~~State Board of Education~~ State School Superintendent shall take into consideration the substantial compliance of the school in the implementation of the intensive school improvement plan and the ongoing cooperation and collaboration exhibited by the school. The State Board of Education shall make a determination on any such request no later than 60 days after receipt of such request. The determination of the State Board of Education, based on the recommendation of the State School Superintendent, shall be the final decision."

**SECTION 10.**

Said title is further amended by revising Code Section 20-14-49.1, relating to the Education Turnaround Advisory Council creation, composition, administration, and role, as follows:

"20-14-49.1.

(a) There is created the Education Turnaround Advisory Council which shall report to the ~~State Board of Education~~ State School Superintendent. The Education Turnaround Advisory Council shall be composed of:

(1) The executive director of the Georgia School Boards Association or his or her designee;

(2) The executive director of the Georgia School Superintendents Association or his or her designee;

(3) The executive director of the Professional Association of Georgia Educators or his or her designee;

(4) The executive director of the Georgia Association of Educators or his or her designee;

(5) The executive director of the Georgia Association of Educational Leaders or his or her designee;

(6) The president of the Georgia Parent Teacher Association;

(7) The executive director of Educators First or his or her designee; and

(8) Education leaders representing local school superintendents, local boards of education, teachers, business leaders, or other appropriate individuals with interest in public education appointed as follows:

(A) Two education leaders appointed by the Lieutenant Governor; and

(B) Two education leaders appointed by the Speaker of the House of Representatives.

(b) The ~~chairperson of the State Board of Education~~ State School Superintendent shall cause the council to be convened no later than 30 days after the last appointment is made to the council. The council shall select a chairperson from among its membership.

(c) The Education Turnaround Advisory Council shall be authorized to:

(1) Submit to the ~~State Board of Education~~ Governor's office names of potential candidates for the position of Chief Turnaround Officer and for turnaround coaches;

(2) Recommend school turnaround resources and potential turnaround experts to be added to resource lists;

(3) Provide advisement on the development of state-wide assessment tools;

(4) Provide advisement to the State School Superintendent and Chief Turnaround Officer, as necessary;

(5) Provide recommendations and input on the request for proposals process conducted pursuant to paragraph (3) of subsection (c) of Code Section 20-14-43 to establish a list

of approved third-party specialists that may be retained to assist in the evaluation of schools; and

(6) Perform such other duties as assigned by the ~~State Board of Education~~ State School Superintendent.

(d) The Education Turnaround Advisory Council shall have no authority and shall only be advisory in nature."

## SECTION 11.

Said title is further amended by adding a new Code section to read as follows:

"20-14-49.3.

(a) The State School Superintendent shall conduct a pilot program to provide stipends for turnaround instructional innovation specialists. The intent of the pilot program shall be to recruit, select, hire, develop, and retain highly effective teacher leaders to work in turnaround schools. Such pilot program shall be conducted for five school years, beginning with school year 2019-2020. The State School Superintendent shall select turnaround schools that are under a contract amendment or intervention contract pursuant to Code Section 20-14-45 to participate in the pilot program.

(b) Turnaround instructional innovation specialists in the pilot program shall be eligible to receive a stipend funded by a 2:1 state/local partnership of \$5,000.00 state funds and \$2,500.00 local funds. Stipends shall be subject to final approval by the State Board of Education and contingent on participation by the local board of education. In order to qualify for such stipend, a turnaround instructional innovation specialist shall:

(1) Agree to teach in a turnaround school for at least three consecutive years; and

(2) Agree to such other criteria and scope of work expectations in accordance with subsection (c) of this Code section.

(c) The criteria and scope of work expectations for turnaround instructional innovation specialists shall be developed by the State School Superintendent, with input from the Chief Turnaround Officer, Georgia Professional Standards Commission, the Department of Education's Teacher and Leader Support and Development Division, the Georgia Association of Colleges for Teacher Education, and representatives of local school systems that are under a contract amendment or intervention contract pursuant to Code Section 20-14-45. Such criteria and scope of work expectations may include, but are not limited to:

(1) Teaching a full class schedule or an alternate model that maximizes the teacher's impact on a broader number of students and other teachers, such as a blended learning format;

- (2) Attending scheduled professional learning courses to strengthen his or her instructional and leadership capacity;
- (3) Fostering a collaborative culture to support educator development and student learning;
- (4) Accessing and using research to improve practice and student learning;
- (5) Promoting professional learning for continuous improvement;
- (6) Facilitating improvements in instruction and student learning;
- (7) Promoting the use of assessments and data for school and district improvement; and
- (8) Advocating for student learning and the teaching profession.
- (d) A turnaround instructional innovation specialist may continue to receive a stipend pursuant to subsection (b) of this Code section if he or she meets the expectations of his or her job, which may be measured by such factors, including, but not limited to:
- (1) The rating on his or her annual summative performance evaluation conducted pursuant to Code Section 20-2-210;
- (2) The school's progress on components of its College and Career Ready Performance Index (CCRPI) rating and performance on Beating the Odds analysis;
- (3) Survey feedback from other teachers impacted by such turnaround instructional innovation specialist;
- (4) The recommendation of the local school system based on the scope of work specific to such turnaround instructional innovation specialist's assignment; and
- (5) The recommendation of the Chief Turnaround Officer.
- (e) After receiving a stipend for three consecutive years, a turnaround instructional innovation specialist shall be eligible for conversion from the stipend to a permanent salary step increase on the state salary schedule, subject to recommendation by the Chief Turnaround Officer and approval by the State School Superintendent, and shall be eligible for consideration, at the sole discretion of the local board of education, for continuation of receipt of the local portion of the stipend of \$2,500.00.
- (f) The State School Superintendent shall provide a final report on the pilot program established pursuant to this Code section to the General Assembly no later than December 1, 2024. Such report shall include a recommendation as to whether or not to implement the program on a state-wide basis, and if so, any recommended changes to the design of such program.
- (g) This Code section shall be subject to appropriations by the General Assembly."

## **SECTION 12.**

All laws and parts of laws in conflict with this Act are repealed.